

**U.S. District Court
District of Columbia (Washington, DC)
CIVIL DOCKET FOR CASE #: 1:17-cv-01525-DLF**

LEOPOLD et al v. U.S. DEPARTMENT OF JUSTICE et al
Assigned to: Judge Dabney L. Friedrich
Cause: 05:552 Freedom of Information Act

Date Filed: 07/28/2017
Jury Demand: None
Nature of Suit: 895 Freedom of Information Act
Jurisdiction: Federal Question

Plaintiff

JASON LEOPOLD

represented by **Matthew Topic**
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PRO HAC VICE
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Plaintiff

BUZZFEED, INC.

represented by **Matthew Topic**
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Merrick Jason Wayne
(See above for address)
ATTORNEY TO BE NOTICED

Nabiha Syed
(See above for address)
PRO HAC VICE
ATTORNEY TO BE NOTICED

V.

Defendant

U.S. DEPARTMENT OF JUSTICE

represented by **William Mark Nebeker**
 U.S. ATTORNEY'S OFFICE FOR THE
 DISTRICT OF COLUMBIA
 555 Fourth Street, NW
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Defendant**FEDERAL BUREAU OF
INVESTIGATION**

represented by **William Mark Nebeker**
 (See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Defendant**U.S. DOJ CRIMINAL DIVISION**

represented by **William Mark Nebeker**
 (See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Defendant**U.S. DOJ EXECUTIVE OFFICE FOR
U.S. ATTORNEYS**

represented by **William Mark Nebeker**
 (See above for address)
LEAD ATTORNEY
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Defendant**U.S. DEPARTMENT OF STATE**

represented by **William Mark Nebeker**
 (See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

| Date Filed | # | Docket Text |
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| 07/28/2017 | <u>1</u> | COMPLAINT against ALL DEFENDANTS (Filing fee \$ 400 receipt number 0090-5051867), filed by JASON LEOPOLD, BUZZFEED, INC.. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B, # <u>3</u> Exhibit C, # <u>4</u> Exhibit D, # <u>5</u> Civil Cover Sheet, # <u>6</u> Summons, # <u>7</u> Summons, # <u>8</u> Summons, # <u>9</u> Summons)(Topic, Matthew) (Entered: 07/28/2017) |
| 07/28/2017 | <u>2</u> | REQUEST FOR SUMMONS TO ISSUE <i>for the Attorney General of the United States</i> filed by JASON LEOPOLD, BUZZFEED, INC..(Topic, Matthew) (Entered: 07/28/2017) |
| 07/28/2017 | <u>3</u> | REQUEST FOR SUMMONS TO ISSUE <i>for the United States Attorney's Office</i> filed by JASON LEOPOLD, BUZZFEED, INC..(Topic, Matthew) (Entered: 07/28/2017) |
| 07/31/2017 | <u>4</u> | REQUEST FOR SUMMONS TO ISSUE <i>for the U.S. Department of Justice</i> filed by JASON LEOPOLD, BUZZFEED, INC..(Topic, Matthew) (Entered: 07/31/2017) |
| 07/31/2017 | <u>5</u> | REQUEST FOR SUMMONS TO ISSUE <i>for the Federal Bureau of Investigation</i> filed by JASON LEOPOLD, BUZZFEED, INC..(Topic, Matthew) (Entered: 07/31/2017) |
| 07/31/2017 | <u>6</u> | REQUEST FOR SUMMONS TO ISSUE <i>for the U.S. DOJ Criminal Division</i> filed by JASON LEOPOLD, BUZZFEED, INC..(Topic, Matthew) (Entered: 07/31/2017) |
| 07/31/2017 | <u>7</u> | REQUEST FOR SUMMONS TO ISSUE <i>for the U.S. DOJ Executive Office for U.S. Attorneys</i> filed by JASON LEOPOLD, BUZZFEED, INC..(Topic, Matthew) (Entered: 07/31/2017) |

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| 07/31/2017 | <u>8</u> | REQUEST FOR SUMMONS TO ISSUE <i>for the Attorney General of the United States</i> filed by JASON LEOPOLD, BUZZFEED, INC..(Topic, Matthew) (Entered: 07/31/2017) |
| 07/31/2017 | <u>9</u> | REQUEST FOR SUMMONS TO ISSUE <i>for the United States Attorney's Office</i> filed by JASON LEOPOLD, BUZZFEED, INC..(Topic, Matthew) (Entered: 07/31/2017) |
| 07/31/2017 | | Case Assigned to Judge Amy Berman Jackson. (md) (Entered: 08/02/2017) |
| 08/02/2017 | <u>10</u> | SUMMONS (6) Issued Electronically as to FEDERAL BUREAU OF INVESTIGATION, U.S. DEPARTMENT OF JUSTICE, U.S. DOJ CRIMINAL DIVISION, U.S. DOJ EXECUTIVE OFFICE FOR U.S. ATTORNEYS, U.S. Attorney and U.S. Attorney General (Attachments: # <u>1</u> Notice of Consent) (md) (Entered: 08/02/2017) |
| 08/17/2017 | <u>11</u> | RETURN OF SERVICE/AFFIDAVIT of Summons and Complaint Executed. FEDERAL BUREAU OF INVESTIGATION served on 8/9/2017 (Topic, Matthew) (Entered: 08/17/2017) |
| 08/17/2017 | <u>12</u> | RETURN OF SERVICE/AFFIDAVIT of Summons and Complaint Executed. U.S. DEPARTMENT OF JUSTICE served on 8/7/2017 (Topic, Matthew) (Entered: 08/17/2017) |
| 08/17/2017 | <u>13</u> | RETURN OF SERVICE/AFFIDAVIT of Summons and Complaint Executed. U.S. DOJ CRIMINAL DIVISION served on 8/7/2017 (Topic, Matthew) (Entered: 08/17/2017) |
| 08/17/2017 | <u>14</u> | RETURN OF SERVICE/AFFIDAVIT of Summons and Complaint Executed. U.S. DOJ EXECUTIVE OFFICE FOR U.S. ATTORNEYS served on 8/7/2017 (Topic, Matthew) (Entered: 08/17/2017) |
| 08/17/2017 | <u>15</u> | RETURN OF SERVICE/AFFIDAVIT of Summons and Complaint Executed as to the United States Attorney. Date of Service Upon United States Attorney on 8/7/2017. Answer due for ALL FEDERAL DEFENDANTS by 9/6/2017. (Topic, Matthew) (Entered: 08/17/2017) |
| 08/17/2017 | <u>16</u> | RETURN OF SERVICE/AFFIDAVIT of Summons and Complaint Executed on United States Attorney General. Date of Service Upon United States Attorney General 8/7/2017. (Topic, Matthew) (Entered: 08/17/2017) |
| 08/18/2017 | | NOTICE OF ERROR re <u>11</u> Summons Returned Executed as to Federal Defendant; emailed to matt@loevy.com, cc'd 2 associated attorneys — The PDF file you docketed contained errors: 1. Please refile document, 2. Document scanned incorrectly; Please rescan and refile as an attachment to an Errata. (znmw,) (Entered: 08/18/2017) |
| 08/21/2017 | <u>17</u> | RETURN OF SERVICE/AFFIDAVIT of Summons and Complaint Executed. FEDERAL BUREAU OF INVESTIGATION served on 8/9/2017. (Topic, Matthew) Modified to add party served on 8/22/2017 (znmw). (Entered: 08/21/2017) |
| 08/23/2017 | <u>18</u> | NOTICE of Appearance by William Mark Nebeker on behalf of FEDERAL BUREAU OF INVESTIGATION, U.S. DEPARTMENT OF JUSTICE, U.S. DOJ CRIMINAL DIVISION, U.S. DOJ EXECUTIVE OFFICE FOR U.S. ATTORNEYS (Nebeker, William) (Entered: 08/23/2017) |
| 08/23/2017 | <u>19</u> | AMENDED COMPLAINT against FEDERAL BUREAU OF INVESTIGATION, U.S. DEPARTMENT OF JUSTICE, U.S. DOJ CRIMINAL DIVISION, U.S. DOJ EXECUTIVE OFFICE FOR U.S. ATTORNEYS, U.S. DEPARTMENT OF STATE filed by JASON LEOPOLD, BUZZFEED, INC.. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B, # <u>3</u> Exhibit C, # <u>4</u> Exhibit D, # <u>5</u> Exhibit E)(Topic, Matthew) (Entered: 08/23/2017) |
| 08/23/2017 | <u>20</u> | REQUEST FOR SUMMONS TO ISSUE <i>for the U.S. Department of State</i> filed by JASON LEOPOLD, BUZZFEED, INC..(Topic, Matthew) (Entered: 08/23/2017) |
| 08/24/2017 | <u>21</u> | SUMMONS (1) Issued Electronically as to U.S. DEPARTMENT OF STATE. (znmw) (Entered: 08/24/2017) |
| 08/24/2017 | <u>22</u> | MOTION for Leave to Appear Pro Hac Vice :Attorney Name– Nabihha Syed, :Firm– Buzzfeed, Inc., :Address– 111 East 18th Street, 13th Floor, New York, NY 10003. |

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| | | Phone No. – 6566009617. Fax No. – 2124317461 Filing fee \$ 100, receipt number 0090–5088976. Fee Status: Fee Paid. by BUZZFEED, INC., JASON LEOPOLD (Attachments: # <u>1</u> Declaration In Support Of Motion To Admit Counsel Pro Hac Vice)(Topic, Matthew) (Entered: 08/24/2017) |
| 08/25/2017 | <u>23</u> | ERRATA (<i>Signed version of declaration</i>) by BUZZFEED, INC., JASON LEOPOLD <u>22</u> MOTION for Leave to Appear Pro Hac Vice :Attorney Name– Nabiha Syed, :Firm– Buzzfeed, Inc., :Address– 111 East 18th Street, 13th Floor, New York, NY 10003. Phone No. – 6566009617. Fax No. – 2124317461 Filing fee \$ 100, receipt number filed by BUZZFEED, INC., JASON LEOPOLD. (Topic, Matthew) (Entered: 08/25/2017) |
| 08/25/2017 | | MINUTE ORDER granting the <u>22</u> Motion for Leave of Nabiha Syed to Appear Pro Hac Vice only upon the condition that the lawyer admitted, or at least one member of the lawyer's firm, undergo CM/ECF training, obtain a CM/ECF username and password, and agree to file papers electronically. No court papers will be mailed to any lawyer. Signed by Judge Amy Berman Jackson on 8/25/2017. (lcabj3) (Entered: 08/25/2017) |
| 09/06/2017 | <u>24</u> | Unopposed MOTION for Extension of Time to File Answer re <u>19</u> Amended Complaint, by FEDERAL BUREAU OF INVESTIGATION, U.S. DEPARTMENT OF JUSTICE, U.S. DOJ CRIMINAL DIVISION, U.S. DOJ EXECUTIVE OFFICE FOR U.S. ATTORNEYS (Attachments: # <u>1</u> Text of Proposed Order)(Nebeker, William) (Entered: 09/06/2017) |
| 09/07/2017 | | MINUTE ORDER granting <u>24</u> Motion for Extension of Time to Answer. The Court will set a specific date by which all defendants must file a responsive pleading once notice has been filed that service is complete. SO ORDERED. Signed by Judge Amy Berman Jackson on 9/7/2017. (lcabj2) (Entered: 09/07/2017) |
| 09/14/2017 | <u>25</u> | REQUEST FOR SUMMONS TO ISSUE (<i>Alias Summons</i>) filed by JASON LEOPOLD, BUZZFEED, INC..(Topic, Matthew) (Entered: 09/14/2017) |
| 09/15/2017 | <u>26</u> | SUMMONS (1) Reissued Electronically as to U.S. DEPARTMENT OF STATE (znmw) (Entered: 09/15/2017) |
| 09/29/2017 | <u>27</u> | RETURN OF SERVICE/AFFIDAVIT of Summons and Complaint Executed. U.S. DEPARTMENT OF STATE served on 9/26/2017 (Attachments: # <u>1</u> Exhibit A)(Topic, Matthew) (Entered: 09/29/2017) |
| 10/02/2017 | | MINUTE ORDER. All defendants must file a responsive pleading by October 26, 2017. SO ORDERED. Signed by Judge Amy Berman Jackson on 10/2/2017. (lcabj2) (Entered: 10/02/2017) |
| 10/26/2017 | <u>28</u> | ANSWER to <u>19</u> Amended Complaint, by FEDERAL BUREAU OF INVESTIGATION, U.S. DEPARTMENT OF JUSTICE, U.S. DEPARTMENT OF STATE, U.S. DOJ CRIMINAL DIVISION, U.S. DOJ EXECUTIVE OFFICE FOR U.S. ATTORNEYS. Related document: <u>19</u> Amended Complaint, filed by BUZZFEED, INC., JASON LEOPOLD.(Nebeker, William) (Entered: 10/26/2017) |
| 10/26/2017 | <u>29</u> | ORDER. Before the Court in this FOIA case are a complaint and an answer. The requirements of Local Civil Rule 16.3 and Rule 26(f) of the Federal Rules of Civil Procedure appear to be inapplicable. Defendants shall file a dispositive motion or, in the alternative, a report setting forth the schedule for the completion of its production of documents to plaintiffs on or before November 27, 2017. See Order for details. SO ORDERED. Signed by Judge Amy Berman Jackson on 10/26/2017. (lcabj2) (Main Document 29 replaced on 10/27/2017) (ztb). (Entered: 10/26/2017) |
| 11/27/2017 | <u>30</u> | Consent MOTION for Extension of Time to File by FEDERAL BUREAU OF INVESTIGATION, U.S. DEPARTMENT OF JUSTICE, U.S. DEPARTMENT OF STATE, U.S. DOJ CRIMINAL DIVISION, U.S. DOJ EXECUTIVE OFFICE FOR U.S. ATTORNEYS (Attachments: # <u>1</u> Text of Proposed Order)(Nebeker, William) (Entered: 11/27/2017) |
| 11/28/2017 | | MINUTE ORDER granting <u>30</u> Motion for Extension of Time. Defendants shall file a dispositive motion or, in the alternative, a report setting forth the schedule for the completion of its production of documents to plaintiffs on or before December 5, 2017. SO ORDERED.Signed by Judge Amy Berman Jackson on 11/28/2017. (lcabj2) |

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| | | (Entered: 11/28/2017) |
| 12/05/2017 | | Case directly reassigned to Judge Dabney L. Friedrich. Judge Amy Berman Jackson is no longer assigned to the case. (ztnr) (Entered: 12/05/2017) |
| 12/05/2017 | <u>31</u> | STATUS REPORT by FEDERAL BUREAU OF INVESTIGATION, U.S. DEPARTMENT OF JUSTICE, U.S. DEPARTMENT OF STATE, U.S. DOJ CRIMINAL DIVISION, U.S. DOJ EXECUTIVE OFFICE FOR U.S. ATTORNEYS. (Nebeker, William) (Entered: 12/05/2017) |
| 03/05/2018 | <u>32</u> | STATUS REPORT by FEDERAL BUREAU OF INVESTIGATION, U.S. DEPARTMENT OF JUSTICE, U.S. DEPARTMENT OF STATE, U.S. DOJ CRIMINAL DIVISION, U.S. DOJ EXECUTIVE OFFICE FOR U.S. ATTORNEYS. (Nebeker, William) (Entered: 03/05/2018) |
| 04/03/2018 | | MINUTE ORDER. Upon consideration of the <u>32</u> Status Report, it hereby is ORDERED that Defendants shall continue to make proposed monthly rolling productions on the 26th of each month, with production from the Criminal Division starting again on April 26, 2018. In addition, the parties shall confer and submit a joint status report on or before May 25, 2018. Signed by Judge Dabney L. Friedrich on April 3, 2018. (JK) (Entered: 04/03/2018) |
| 05/25/2018 | <u>33</u> | Joint STATUS REPORT by FEDERAL BUREAU OF INVESTIGATION, U.S. DEPARTMENT OF JUSTICE, U.S. DEPARTMENT OF STATE, U.S. DOJ CRIMINAL DIVISION, U.S. DOJ EXECUTIVE OFFICE FOR U.S. ATTORNEYS. (Nebeker, William) (Entered: 05/25/2018) |
| 05/25/2018 | | MINUTE ORDER. Upon consideration of the parties' <u>33</u> Joint Status Report, it is ORDERED that the defendants' rolling releases shall continue, where necessary, to be made on the 26th of each month and the parties shall submit a joint status report on or before July 9, 2018. Signed by Judge Dabney L. Friedrich on May 25, 2018. (JK) (Entered: 05/25/2018) |
| 07/09/2018 | <u>34</u> | Joint STATUS REPORT by FEDERAL BUREAU OF INVESTIGATION, U.S. DEPARTMENT OF JUSTICE, U.S. DEPARTMENT OF STATE, U.S. DOJ CRIMINAL DIVISION, U.S. DOJ EXECUTIVE OFFICE FOR U.S. ATTORNEYS. (Nebeker, William) (Entered: 07/09/2018) |
| 07/10/2018 | | MINUTE ORDER. Upon consideration of the parties' <u>34</u> Joint Status Report, it is ORDERED that the defendants' rolling releases shall continue, where necessary, to be made on or about the 26th of each month and the parties shall submit a joint status report on or before September 10, 2018. Signed by Judge Dabney L. Friedrich on July 10, 2018. (JK) (Entered: 07/10/2018) |
| 08/27/2018 | <u>35</u> | Consent MOTION for Extension of Time to <i>Conduct Processing of Next Set of Documents</i> by U.S. DEPARTMENT OF JUSTICE, U.S. DOJ CRIMINAL DIVISION, U.S. DOJ EXECUTIVE OFFICE FOR U.S. ATTORNEYS (Attachments: # <u>1</u> Text of Proposed Order)(Nebeker, William) (Entered: 08/27/2018) |
| 08/28/2018 | | MINUTE ORDER granting the Department of Justice's <u>35</u> Consent Motion for an Enlargement of Time. Accordingly, the Department of Justice's next production shall be made on or before September 28, 2018. Signed by Judge Dabney L. Friedrich on August 28, 2018. (JK) (Entered: 08/28/2018) |
| 09/10/2018 | <u>36</u> | Joint STATUS REPORT by U.S. DEPARTMENT OF JUSTICE, U.S. DEPARTMENT OF STATE, U.S. DOJ CRIMINAL DIVISION, U.S. DOJ EXECUTIVE OFFICE FOR U.S. ATTORNEYS. (Nebeker, William) (Entered: 09/10/2018) |
| 09/10/2018 | | MINUTE ORDER. Upon consideration of the parties' <u>36</u> Joint Status Report, it is ORDERED that the defendants' rolling releases shall continue, where necessary, to be made on or about the 26th of each month and the parties shall submit a joint status report on or before November 9, 2018. Signed by Judge Dabney L. Friedrich on September 10, 2018. (JK) (Entered: 09/10/2018) |
| 11/09/2018 | <u>37</u> | Joint STATUS REPORT by FEDERAL BUREAU OF INVESTIGATION, U.S. DEPARTMENT OF JUSTICE, U.S. DEPARTMENT OF STATE, U.S. DOJ CRIMINAL DIVISION, U.S. DOJ EXECUTIVE OFFICE FOR U.S. ATTORNEYS. |

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| | | (Nebeker, William) (Entered: 11/09/2018) |
| 11/13/2018 | | MINUTE ORDER. Upon consideration of the parties' <u>37</u> Status Report, it is ORDERED that the parties shall submit another joint status report on or before January 9, 2019. Signed by Judge Dabney L. Friedrich on November 13, 2018. (JK) (Entered: 11/13/2018) |
| 01/08/2019 | <u>38</u> | MOTION to Stay (<i>Defendants' Motion to Stay Proceedings in Light of Lapse in Appropriations</i>) by FEDERAL BUREAU OF INVESTIGATION, U.S. DEPARTMENT OF JUSTICE, U.S. DEPARTMENT OF STATE, U.S. DOJ CRIMINAL DIVISION, U.S. DOJ EXECUTIVE OFFICE FOR U.S. ATTORNEYS (Attachments: # <u>1</u> Text of Proposed Order)(Nebeker, William) (Entered: 01/08/2019) |
| 02/13/2019 | | MINUTE ORDER denying as moot the defendant's <u>38</u> Motion to Stay Proceedings In Light of Lapse In Appropriations. The parties shall file a joint status report on or before February 22, 2019. Signed by Judge Dabney L. Friedrich on February 13, 2019. (JK) (Entered: 02/13/2019) |
| 02/22/2019 | <u>39</u> | Joint STATUS REPORT by BUZZFEED, INC., JASON LEOPOLD. (Topic, Matthew) (Entered: 02/22/2019) |
| 03/04/2019 | | MINUTE ORDER. Upon consideration of the parties' <u>39</u> Status Report, it is ORDERED that the parties shall submit another joint status report on or before April 30, 2019. Signed by Judge Dabney L. Friedrich on March 4, 2019. (JK) (Entered: 03/04/2019) |
| 03/25/2019 | <u>40</u> | LCvR 26.1 CERTIFICATE OF DISCLOSURE of Corporate Affiliations and Financial Interests by BUZZFEED, INC., JASON LEOPOLD (Topic, Matthew) (Entered: 03/25/2019) |
| 04/30/2019 | <u>41</u> | Joint STATUS REPORT by FEDERAL BUREAU OF INVESTIGATION, U.S. DEPARTMENT OF JUSTICE, U.S. DEPARTMENT OF STATE, U.S. DOJ CRIMINAL DIVISION, U.S. DOJ EXECUTIVE OFFICE FOR U.S. ATTORNEYS. (Nebeker, William) (Entered: 04/30/2019) |
| 05/01/2019 | | MINUTE ORDER. Upon consideration of the parties' <u>41</u> Joint Status Report, it is ORDERED that the parties shall submit a joint status report on or before June 28, 2019. Signed by Judge Dabney L. Friedrich on May 1, 2019. (lcldf3) (Entered: 05/01/2019) |
| 05/01/2019 | | Set/Reset Deadlines/Hearings: Joint status report due by 6/28/2019. (zcdw) (Entered: 05/01/2019) |
| 06/28/2019 | <u>42</u> | Joint STATUS REPORT by FEDERAL BUREAU OF INVESTIGATION, U.S. DEPARTMENT OF JUSTICE, U.S. DEPARTMENT OF STATE, U.S. DOJ CRIMINAL DIVISION, U.S. DOJ EXECUTIVE OFFICE FOR U.S. ATTORNEYS. (Nebeker, William) (Entered: 06/28/2019) |
| 07/01/2019 | | MINUTE ORDER. Upon consideration of the parties' <u>42</u> Joint Status Report, it is ORDERED that the parties shall submit another joint status report on or before August 28, 2019. Signed Judge Dabney L. Friedrich on July 1, 2019. (lcldf3) (Entered: 07/01/2019) |
| 07/02/2019 | | Set/Reset Deadlines: Joint Status Report due by 8/28/2019. (zcal) (Entered: 07/02/2019) |
| 08/06/2019 | <u>43</u> | NOTICE of Appearance by Merrick Jason Wayne on behalf of BUZZFEED, INC., JASON LEOPOLD (Wayne, Merrick) (Entered: 08/06/2019) |